

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PHILIP SIMS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:09CV1213 CDP
)	
PROGRESSIVE DIRECT)	
INSURANCE COMPANY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

On September 27, 2010, I entered judgment in this case in plaintiff Philip Sims's favor, and ordered that costs be taxed against defendant Progressive Direct Insurance Company. Sims has now filed a bill of costs seeking \$905.20. Progressive has not responded in objection.

Under Fed. R. Civ. P. 54(d), "costs – other than attorney's fees – should be allowed to the prevailing party." The specific costs that are recoverable are listed in 29 U.S.C. § 1920, as follows:

- (1) Fees of the clerk and marshal;
- (2) Fees of the court reporter for all or any part of the stenographic transcript necessarily obtained for use in the case;
- (3) Fees and disbursements for printing and witnesses;
- (4) Fees for exemplification and copies of papers necessarily obtained for use in the case;


- (5) Docket fees under section 1923 of this title;
- (6) Compensation of court appointed experts, compensation of interpreters, and salaries, fees, expenses, and costs of special interpretation services under section 1828 of this title.

It is well settled that district courts are “bound by the limitations” established by section 1920, and costs not listed under that section are not taxable. *See Crawford Fitting Co. v. J.T. Gibbons, Inc.*, 482 U.S. 437, 444-45 (1987).

Because judgment was entered in his favor, Sims is the prevailing party in this litigation and is entitled to reimbursement for his costs as set out in section 1920. After reviewing Sims’s bill of costs together with his memorandum and exhibits in support, I conclude that all of Sims’s listed charges are taxable under section 1920, and so I will grant Sims’s motion in the amount requested.

Accordingly,

IT IS HEREBY ORDERED that plaintiff’s motion for a bill of costs [#92] is granted, and the Clerk of the Court shall tax costs in the amount of \$905.20.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 6th day of October, 2010.